

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MENDRICK, et al.

Art Unit: 1631

Serial No.: 10/541,937

Examiner: Carolyn Smith

Filed: July 10, 2006

Old Atty. Docket: OCIM-005/06US

For: Molecular Cardiotoxicology Modeling

New Atty. Docket: 966944-00005-06US

RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner of
Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit the following remarks in response to the Office Action dated August 6, 2009 (Paper No. 20090803), setting a one-month shortened statutory period. The period in which to respond has been extended by one month, to October 6, 2009, by a petition for extension of time under 37 C.F.R. §1.136(a) submitted herewith. Applicants have also submitted herewith a Verified Statement (Declaration) claiming Small Entity Status.

Accordingly, as a small entity, Applicants believe that the petition fee (37 C.F.R. § 1.17), which is also submitted herewith, is \$65.00 for a one-month extension of time.

REMARKS

In response to the Examiner's restriction of the claims in the above-referenced application, Applicants hereby elect, without traverse, **Group I**, drawn to a method of predicting at least one toxic effect of a compound. Claims 1-7, 9, 12-21, 48-49, 53-56, and 61-66 read thereon. Furthermore, Applicants reserve the right to file one or more divisional applications directed to the non-elected invention(s) should this restriction requirement be made final.